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at 3 p.m.
New York

SUMMARY RECORD OF THE 60th MEETING

Chairman: Mr. AL-SHAALI (United Arab Emirates)

CONTENTS

AGENDA ITEM 94: SOCIAL DEVELOPMENT (continued)

(b) CRIME PREVENTION AND CRIMINAL JUSTICE (continued)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

COMPLETION OF THE COMMITTEE'S WORK

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 94: SOCIAL DEVELOPMENT (continued)

(b) CRIME PREVENTION AND CRIMINAL JUSTICE (continued) (A/46/703; A/C.3/46/L.67, L.70 and L.72-74)

Draft resolution contained in document A/46/703

1. The CHAIRMAN invited the Committee to consider the draft resolution entitled "Creation of an effective United Nations crime prevention and criminal justice programme", contained in chapter II, section A, of the report of the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme (A/46/703, annex), and said that the statement of the programme budget implications of the draft resolution was contained in document A/C.3/46/L.70. He drew attention to the proposed amendments to the draft resolution, contained in document A/C.3/46/L.73, which the representative of Ghana had introduced at the 59th meeting on behalf of the Group of 77.

2. Mr. KOTEY (Ghana) said that, following consultations with delegations, the Group of 77 wished to revise its proposed amendments orally, so that paragraph 10 of the draft resolution set out in the annex to document A/46/703 would read:

> "Decides to recommend that a commission on crime prevention and criminal justice be established as a functional commission of the Economic and Social Council, which would hold its inaugural meeting during 1992, and recommends that the meeting of the Committee on Crime Prevention and Control scheduled for February 1992 be cancelled and that the funds necessary for the work of the new Commission be made available within the budget for the biennium 1992-1993".

3. With regard to the annex to the draft resolution, the Group of 77 believed that, in order for the new commission to be able to hold its inaugural meeting before the substantive session of the Economic and Social Council in 1992, it was necessary to consider the issue of the number of seats on the commission and their geographical distribution well in advance of the Council's organizational session. If the decision was taken immediately, the Secretariat and the regional groups could hold consultations in order to identify candidates before January 1992, for election at the Council's organizational session. Since the organizational session was short, a rapid decision on the number of seats to be allocated to each region would facilitate the establishment of the new body and the election of its members. Accordingly, the Group of 77 proposed that, in paragraph 24 of the annex to the draft resolution, the number "thirty-two" should be replaced by "40". As to the explanatory note, it should be amended to read:

(Mr. Kotey, Ghana)

"It is recommended that in order to commence the work of the commission as soon as possible, the geographical distribution of the commission should be as follows: African States (12), Asian States (9), Latin American and Caribbean States (8), Western European and other States (7), and Eastern European States (4). The size and geographical distribution of the commission may be reviewed two years after the first session of the Commission."

It was to be hoped that the members of the Committee would agree to those amendments.

4. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the amendments to the draft resolution and its annex proposed by the Group of 77.

5. It was so decided.

6. The CHAIRMAN said that, in the light of the adoption of the proposals by the Group of 77, he considered that draft decision A/C.3/46/L.72, entitled "Establishment of a Commission on Crime Prevention and Criminal Justice", had been withdrawn by its sponsors.

7. It was so decided.

8. Mr. KRENKEL (Austria) proposed that paragraph 15 of the draft resolution submitted by the Ministerial Meeting should be deleted, as it overlapped with paragraph 14.

9. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the proposed amendment.

10. It was so decided.

11. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution and its annex, as amended by Ghana on behalf of the Group of 77, and by Austria.

12. It was so decided.

13. The draft resolution and its annex contained in document A/46/703, as amended, were adopted.

14. Mr. DEKANY (Hungary) said that, while his delegation had not wished to stand in the way of consensus, it none the less wished to place on record its concern at the procedure followed. The draft resolution had been the product of a decision taken by consensus in Paris at the ministerial level. While Hungary naturally understood the concern of the Group of 77 and recognized the importance of the principle of equitable geographical distribution, it

(Mr. Dekany, Hungary)

regretted that the debate on the subject had been reopened and that substantial amendments had been made to the draft. Moreover, while the Group of Eastern European States was the smallest regional group from the numerical point of view, it was unfortunate that account had not been taken of the significant changes occurring in that part of the world. The Group was therefore awaiting with interest the review of the number and the geographical distribution of the seats which had been provided for in the draft resolution.

15. The meeting was suspended at 3.35 p.m. and resumed at 4.10 p.m.

Draft resolution A/C.3/46/L.67

16. The CHAIRMAN invited the Committee to take a decision on draft resolution A/C.3/46/L.67 entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders". He said that, when the draft resolution had been introduced on behalf of the Group of African States at the Committee's 59th meeting, the representative of Ghana had revised it by replacing paragraph 3 with the following text: "Requests the Secretary-General to report on the implementation of the present resolution at its forty-seventh session". The statement of the programme budget implications of the draft resolution was contained in document A/C.3/46/L.74.

17. Mr. VAN DER HEIJDEN (Netherlands) said that the 12 States members of the European Community would abstain in the vote on the draft resolution under consideration, as they remained of the opinion that United Nations institutes for the prevention of crime and the treatment of offenders must be financed through voluntary contributions. As the Twelve had mentioned in their statement of 9 December 1991, some States members of the European Community intended to provide specific assistance to the United Nations African Institute with a view to promoting policy development and the establishment of training facilities in the African region. Accordingly, the Twelve had reservations with regard to paragraph 2 and regretted that the negotiations with the main sponsor of the draft had not been fruitful. Furthermore, as the statement of programme budget implications of the draft resolution (A/C.3/46/L.74) had only recently been circulated, it had not been possible to study it carefully. It would therefore be appropriate for the matter to be raised again in the Fifth Committee.

18. A recorded vote was taken on the draft resolution.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Republic of Korea, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Albania, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Sweden, Turkey, Ukraine, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

19. Draft resolution A/C.3/46/L.67 was adopted by 97 votes to 1, with 34 abstentions.

20. Ms. BOGARDE (Sweden), speaking on behalf of the five Nordic countries, said that those countries well understood the need to ensure the financial viability of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders and did not, in principle, object to funding the Institute from the regular budget. Indeed, the Nordic countries had supported other proposals by the Secretary-General to include in the regular budget expenditure which had previously been covered by voluntary contributions. However, for reasons of principle, it was important that such proposals should come from the Secretary-General and that they should be considered thoroughly in the budgetary process. The Nordic countries had hoped that such would be the case following the adoption by consensus, the previous year, of General Assembly decision 45/428. They regretted that the report contained in document A/46/524 had not facilitated thorough consideration.

21. Mr. KUEHL (United States of America) said that his delegation reserved the right to explain its vote in plenary meeting after the Fifth Committee had completed its consideration of the matter.

22. Mr. ETUKET (Uganda) said he was grateful to the delegations which, recognizing the importance of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, had voted in favour of draft resolution A/C.3/46/L.67. He also thanked the Swedish delegation for the decisive role it had played the previous year in the adoption of General Assembly decision 45/428 concerning the financing of the Institute. His delegation regretted that the Secretary-General's proposals in document A/46/524, made in response to the Assembly's request in decision 45/428, did not make a positive contribution. The statement of the programme budget implications of draft resolution A/C.3/46/L.67, contained in document A/C.3/46/L.74 was also very disappointing. Uganda hoped that when the Fifth Committee considered the programme budget implications of the resolution just adopted, it would take full account of the Institute's financial needs. His delegation reserved the right to speak on that issue in the Fifth Committee in order to present it in its proper context.

23. Mr. TROTTIER (Canada) said that his delegation had abstained in the vote on draft resolution A/C.3/46/L.67. Canada was aware of the need for technical cooperation in the area of crime prevention and criminal justice, and had therefore supported the idea of establishing a new commission to handle such questions. Since one of the commission's functions would be to coordinate and prioritize the various initiatives, it should be responsible for considering ways of funding the Institute. His delegation was not at all convinced of the need for a separate resolution on the subject.

24. Ms. TERANISHI (Japan) said that her delegation had abstained in the vote on draft resolution A/C.3/46/L.67 because of reservations concerning paragraph 2 of the draft, as well as its programme budget implications (A/C.3/46/L.74). Japan had always felt that all United Nations institutes for crime prevention and the treatment of offenders should be funded through voluntary contributions, not through the regular budget.

25. The CHAIRMAN suggested that the Committee should recommend that the General Assembly should take note of the Secretary-General's report on the progress achieved in the implementation of General Assembly resolution 45/121 on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/46/363).

26. It was so decided.

27. The CHAIRMAN announced that the Committee had thus completed consideration of agenda item 94.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/C.3/46/L.68)

Draft resolution A/C.3/46/L.68

28. The CHAIRMAN invited the Committee to resume consideration of item 12, entitled "Report of the Economic and Social Council", and to take a decision on the report of the Working Group on the Rationalization of the Work of the Third Committee (A/C.3/46/L.68), which the Chairman of the Working Group had introduced at the 58th meeting. In paragraph 3 of the report, the Working Group recommended that the Third Committee should recommend to the General Assembly the adoption of a draft resolution.

29. Ms. KAMAL (Secretary) suggested the following addition to annex II of the draft resolution, concerning the draft biennial programme of work of the Third Committee for 1992-1993, under item 4 (b), entitled "Crime prevention and criminal justice":

> "Report of the Secretary-General on measures taken to implement the Statement of Principles and Programme of Action of the United Nations Crime Prevention and Criminal Justice Programme (resolution 46/) (draft resolution contained in chapter II, section A, of the annex to document A/46/703).
>
> Report of the Secretary-General on the implementation of the resolution on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (resolution 46/) (draft resolution A/C.3/46/L.67, para. 3)."

She also suggested the following addition under item 8 (b), entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms":

> "Report of the Secretary-General on the implementation of the resolution on the Organization's experience in and recommendations for providing electoral assistance to Member States, on the detailed guidelines and terms of reference being developed for United Nations electoral involvement and on the nature and disposition of the requests from Member States (resolution 46/) (draft resolution A/C.3/46/L.61/Rev.1, para. 18)."

She also suggested the following addition under item 2, entitled "Elimination of racism and racial discrimination":

> "Report of the Ad Hoc Working Group of Experts on Southern Africa (Economic and Social Council decision 1991/237)."

30. Draft resolution A/C.3/46/L.68 was adopted without a vote.

31. The CHAIRMAN announced that the Committee had thus completed consideration of agenda item 12.

COMPLETION OF THE COMMITTEE'S WORK

32. Mr. KOTEY (Ghana), on behalf of the Group of African States, Mr. AL-SABAH (Kuwait), on behalf of the Group of Asian States, Mr. KHVOSTOV (Belarus), on behalf of the Group of Eastern European States, Ms. AGUILERA (Mexico), on behalf of the Group of Latin American and Caribbean States, and Mr. VAN DER HEIJDEN (Netherlands), on behalf of the Group of Western European and Other States, participated in an exchange of courtesies.

33. The CHAIRMAN said he was pleased that the sometimes sensitive nature of the issues discussed in the Committee had not affected the objectivity of the debates. Over the previous 10 weeks, the Committee had adopted 66 draft resolutions, 50 of which it had adopted without a vote, thereby demonstrating the spirit of cooperation and dialogue of all its members. Although the late issuance of some reports had led to the postponement of a number of meetings, the Committee had completed its work on schedule and in accordance with the programme it had established. It had thus shown that "rationalization of work" was not an empty phrase. In that regard, he paid special tribute to the Working Group on the Rationalization of the Work of the Third Committee for its tireless efforts in the course of the forty-sixth session.

34. At a more personal level, he said that through his chairmanship of the Committee, which had been the culmination of his activities at the United Nations, he had gained experience equivalent to many years of work at the United Nations. The Committee's importance derived from the fact that the debates focused on the human being, the foundation of all civilization. The Committee's concern for human rights everywhere in the world gave renewed hope to individuals and peoples who, oppressed by a foreign power or victims of their own leaders, were denied the exercise of those rights.

35. In conclusion, quoting an Arabic saying, he paid tribute to all those who had worked with him. The Third Committee's success at the current session was due to the effective participation of all its members in its work, to the cooperation of Secretariat staff and to the advice which the Secretary of the Committee had consistently given him to help him carry out his task.

The meeting rose at 5 p.m.